

This listing of claims will replace all prior versions, and listings, of claims in the application:

The Status of the Claims

1. (Cancelled): A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises the following steps:

- a) applying a predetermined crediting rule to the viewing window; and,
- b) crediting viewing with respect to the viewing window only if the viewing window meets the predetermined crediting rule.

2. (Cancelled): The method of claim 1 wherein the predetermined crediting rule applied in step a) comprises minimization, and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized.

3. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

- a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises minimum window size; and
- b) , and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the size of the viewing window is greater than the minimum window size.

4. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule ~~applied in step a)~~ comprises an amount of occlusion of the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the amount of occlusion of the viewing window is less than a maximum occlusion.

5. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises a percentage of the screen occupied by the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

6. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the viewing window is a first viewing window, wherein a second viewing window is displayed on the screen, wherein audio is being played with respect to one of the first and second viewing windows; and

b), and wherein step b) comprises the step of crediting viewing only with respect to the one of the first and second viewing windows associated with the audio.

7. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the viewing window is a first viewing window, wherein a second viewing window is displayed on the screen, wherein one of the first and second viewing windows is larger; and

b), and wherein step b) comprises the step of crediting viewing only with respect to the larger of the first and second viewing windows.

8. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises :

a) applying a predetermined crediting rule to the viewing window, wherein the viewing window is a first viewing window, wherein a second viewing window is displayed on the screen, wherein one of the first and second viewing windows is a top-most viewing window; and

b), and wherein step b) comprises the step of crediting viewing only with respect to the top-most viewing window.

9. (Currently Amended): ~~The method of claim 1~~A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises :

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises minimization and minimum window size; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size.

10. (Currently Amended): ~~The method of claim 1~~A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises :

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises minimization and amount of occlusion of the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized and the amount of occlusion of the viewing window is less than a maximum occlusion.

11. (Currently Amended): ~~The method of claim 1~~A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises :

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule ~~applied in step a)~~ comprises minimization and a percentage of the screen occupied by the viewing window; and

~~b), and wherein step b)~~ comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

12. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises the following steps:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule ~~applied in step a)~~ comprises minimum window size and an amount of occlusion of the viewing window; and

~~b), and wherein step b)~~ comprises the step of crediting viewing with respect to the viewing window only if the size of the viewing window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion.

13. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule ~~applied in step a)~~ comprises minimum window size and a percentage of the screen occupied by the viewing window; and

~~b), and wherein step b) comprises the step of~~ crediting viewing with respect to the viewing window only if the size of the viewing window is greater than the minimum window size and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

14. (Currently Amended): ~~The method of claim 1A~~ a method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises an amount of occlusion of the viewing window and a percentage of the screen occupied by the viewing window; and

~~b), and wherein step b) comprises the step of~~ crediting viewing with respect to the viewing window only if the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

15. (Currently Amended): ~~The method of claim 1A~~ a method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises minimization, minimum window size, and an amount of occlusion of the viewing window; and

~~b), and wherein step b) comprises the step of~~ crediting viewing with respect to the viewing window only if the viewing window is not minimized and the size of the viewing

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window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion.

16. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises minimization, minimum window size, and a percentage of the screen occupied by the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

17. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule applied in step a) comprises minimum window size, an amount of occlusion of the viewing window, and a percentage of the screen occupied by the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the size of the viewing window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

18. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule ~~applied in step a)~~ comprises minimization, an amount of occlusion of the viewing window, and a percentage of the screen occupied by the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized and the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

19. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window, wherein the predetermined crediting rule ~~applied in step a)~~ comprises minimization, minimum window size, an amount of occlusion of the viewing window, and a percentage of the screen occupied by the viewing window; and

b), and wherein step b) comprises the step of crediting viewing with respect to the viewing window only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

20. (Currently Amended): ~~The method of claim 1~~ A method of crediting viewing with respect to a viewing window being displayed on a screen, wherein the viewing window has a size, wherein the screen has a size, and wherein the method comprises:

a) applying a predetermined crediting rule to the viewing window and b) crediting viewing with respect to the viewing window only if the viewing window meets the predefined crediting rule, wherein steps a) and b) are implemented by software written in Java.

21. (Currently Amended): A method of metering video displayed in a window on a screen of a viewing device, the viewing device being configurable to interface directly with one of a COM interface and an API known to the viewing device, the method comprising ~~the following steps:~~

a) determining whether the viewing device interfaces directly to a COM interface or whether the viewing device interfaces directly to an API known to the viewing device;

b) when the viewing device interfaces to a COM interface, determining channel data from a channel related object of the COM interface; and,

c) when the viewing device interfaces to an API interface, calling the API interface so as to determine channel data associated with a video application.

22. (Currently Amended): The method of claim 21 further comprising ~~the further following step:~~

d) determining a program and/or station from an electronic programming guide based upon the channel data determined in ~~step~~ b) or c).

23. (Currently Amended): The method of claim 21 further comprising ~~the further following step:~~

d) if the viewing device interfaces directly to neither a COM interface nor an API, determining channel data from window controls within a viewing application.

24. (Currently Amended): The method of claim 23 further comprising ~~the further following step:~~

e) determining a program and/or station from an electronic programming guide based upon the channel data determined in ~~step~~ b) or c).

25. (Currently Amended): The method of claim 23 further comprising ~~the further following steps:~~

e) finding main windows;

f) finding a video application main window from the main windows found in step e);

g) finding child windows of the video application main window found in ~~step~~ f);

h) finding a channel related child window from the child windows found in step g); and,

i) determining channel data from the channel related child window found in step h).

26. (Currently Amended): The method of claim 25 wherein ~~step f)~~ comprises the following step:

using a callback function to find the video application main window from the main windows.

27. (Currently Amended): The method of claim 25 wherein ~~step h)~~ comprises the following step:

using a callback function to find the channel related child window.

28. (Currently Amended): The method of claim 25 further comprising ~~the further following step:~~

determining a program and/or station from an electronic programming guide based upon the channel data determined in ~~step i)~~.

29. (Original): The method of claim 21 wherein the viewing device is a computer.

30. (Original): The method of claim 21 wherein the viewing device is a television.

31. (Original): The method of claim 21 wherein the viewing device is a combination of a television and a set top box.

32. (Currently Amended): The method of claim 21 wherein ~~steps a), b), and c)~~ are implemented by software written in Java.

33. (Previously Presented): A software meter arranged to meter video displayed in a window on a screen of a viewing device, the software meter being executed by a processor, the displayed video being transmitted as a video stream, an audio stream and a data stream also being transmitted to the software meter, and the software meter comprising:

a) first program code executable to determine tuning data from a video application related to the displayed video; and,

b) second program code executable to determine an ancillary identification code relating to displayed video,

wherein the ancillary code comprises an additional data transmission which is contained within at least one of the video stream, the audio stream, and the data stream.

34. (Original): The software meter of claim 33 wherein the second program code determines the ancillary identification code from a device driver.

35. (Currently Amended): The software meter of ~~claim 42~~claim 33 wherein the device driver is a device driver for a video tuning card.

36. (Original): The software meter of claim 33 further comprising third program code arranged to determine a program and/or station from an electronic programming guide based upon the tuning data.

37. (Original): The software meter of claim 33 wherein the first program code is arranged to (i) determine whether the viewing device has a COM interface or an API interface, (ii) determine channel data from a channel related object of a COM interface if the viewing device has the COM interface, and (iii) determine channel data from application related data associated with a video application if the viewing device has an API interface.

38. (Original): The software meter of claim 37 wherein the first program code is arranged to determine channel data from window text if the viewing device has neither a COM interface nor an API interface.

39. (Original): The software meter of claim 38 further comprising third program code arranged to determine a program and/or station from an electronic programming guide based upon the tuning data.

40. (Original): The software meter of claim 38 wherein the first program code is arranged to (i) find main windows, (ii) find a video application main window from the main windows, (iii) find child windows of the video application main window, (iv) find a channel related child window from the child windows, and (v) determine channel data from the channel related child window.

41. (Original): The software meter of claim 40 wherein the first program code is arranged to use a callback function in order to find the video application main window from the main windows.

42. (Original): The software meter of claim 40 wherein the first program code is arranged to use a callback function to find the channel related child window.

43. (Original): The software meter of claim 40 further comprising third program code arranged to determine a program and/or station from an electronic programming guide based upon the tuning data.

44. (Original): The software meter of claim 33 wherein the software meter is written in Java.

45. (Cancelled): A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window; and,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data.

46. (Cancelled): The metering system of claim 45 wherein the crediting rules comprises minimization, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized.

47. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting ~~rules~~rule comprises minimum window size, and wherein the creditor comprises program code to credit the identifying data only if the size of the viewing window is greater than the minimum window size.

48. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises an amount of occlusion of the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the amount of occlusion of the viewing window is less than a maximum occlusion.

49. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

50. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the viewing window is a first viewing window, wherein a second viewing window is displayed on the screen, wherein audio is being played with respect to one of the first and second viewing windows, and wherein the creditor comprises program code to credit the identifying data only with respect to the one of the first and second viewing windows associated with the audio.

51. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the viewing window is a first viewing window, wherein a second viewing window is displayed on the screen, wherein one of the first and second viewing windows is a larger viewing window, and wherein the creditor comprises program code to credit the identifying data only with respect to the larger viewing window.

52. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the viewing window is a first viewing window, wherein a second viewing window is displayed on the screen, wherein one of the first and second viewing windows is a top-most viewing window, and wherein the creditor comprises program code to credit the identifying data only with respect to the top-most viewing window.

53. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimization and minimum window size, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size.

54. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimization and an amount of

occlusion of the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized and the amount of occlusion of the viewing window is less than a maximum occlusion.

55. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimization and a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

56. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimum window size and an amount of occlusion of the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the size of the viewing window is greater than the

minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion.

57. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimum window size and a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the size of the viewing window is greater than the minimum window size and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

58. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises an amount of occlusion of the viewing window and a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the amount

of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

59. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimization, minimum window size, and an amount of occlusion of the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion.

60. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimization, minimum window size, and a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size

and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

61. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimum window size, an amount of occlusion of the viewing window, and a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the size of the viewing window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

62. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the predetermined crediting rule ~~applied in step a)~~ comprises minimization, an amount of occlusion of the viewing window, and a percentage of the screen occupied by the viewing window, and wherein ~~step b)~~ comprises the step of crediting

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viewing with respect to the viewing window only if the viewing window is not minimized and the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

63. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the crediting rules comprises minimization, minimum window size, an amount of occlusion of the viewing window, and a percentage of the screen occupied by the viewing window, and wherein the creditor comprises program code to credit the identifying data only if the viewing window is not minimized and the size of the viewing window is greater than the minimum window size and the amount of occlusion of the viewing window is less than a maximum occlusion and the percentage of the screen occupied by the viewing window is greater than a minimum percentage.

64. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window,

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data, wherein the software meter has first program code to determine whether the viewing device has a COM interface or an API interface and second program code to determine channel data from a channel related object of the COM interface or from application related data associated with a video application through the API interface.

65. (Original): The metering system of claim 64 wherein the software meter has third program code to determine a program and/or station from an electronic programming guide based upon the channel data.

66. (Original): The metering system of claim 64 wherein the software meter has third program code to determine channel data from window text if the viewing device has neither a COM interface nor an API interface.

67. (Original): The metering system of claim 66 wherein the software meter has fourth program code to determine a program and/or station from an electronic programming guide based upon the channel data.

68. (Original): The metering system of claim 66 wherein the software meter has fourth program code to find main windows, wherein the software meter has fifth program code to find a video application main window from the main windows, wherein the software meter has sixth program code to find child windows of the video application main window, wherein the software meter has seventh program code to find a channel related child window from the child windows, and wherein the software meter has eighth program code to determine channel data from the channel related child window.

69. (Original): The metering system of claim 68 wherein the fourth program code uses a callback function to find the video application main window from the main windows.

70. (Original): The metering system of claim 68 wherein the sixth program code uses a callback function to find the channel related child window.

71. (Original): The metering system of claim 68 wherein the software meter has ninth program code to determine a program and/or station from an electronic programming guide based upon the channel data.

72. (Currently Amended): ~~The metering system of claim 45~~ A metering system for metering viewing of video displayed in a window on a screen of a viewing device comprising:

a software meter arranged to determine identifying data related to the video displayed in the window, the software meter comprising ~~wherein the software meter comprises:~~

a) first program code executable to determine tuning data from a video application related to the displayed video; and,

b) second program code executable to determine an ancillary identification code relating to displayed video; and

a creditor arranged to apply a crediting rule in determining whether to credit the identifying data.

73. (Original): The metering system of claim 72 wherein the second program code determines the ancillary identification code from a device driver.

74. (Original): The metering system of claim 73 wherein the device driver is a device driver for a video tuning card.

75. (Original): The metering system of claim 72 comprising third program code arranged to determine a program and/or station from an electronic programming guide based upon the tuning data.

76. (Original): The metering system of claim 72 wherein the first program code is arranged to (i) determine whether the viewing device has a COM interface or an API interface, (ii) determine channel data from a channel related object of a COM interface if the viewing device has the COM interface, and (iii) determine channel data from application related data associated with a video application if the viewing device has an API interface.

77. (Original): The metering system of claim 76 wherein the first program code is arranged to determine channel data from window text if the viewing device has neither a COM interface nor an API interface.

78. (Original): The metering system of claim 77 comprising third program code arranged to determine a program and/or station from an electronic programming guide based upon the tuning data.

79. (Original): The metering system of claim 77 wherein the first program code is arranged to (i) find main windows, (ii) find a video application main window from the main windows, (iii) find child windows of the video application main window, (iv) find a channel related child window from the child windows, and (v) determine channel data from the channel related child window.

80. (Original): The metering system of claim 79 wherein the first program code is arranged to use a callback function in order to find the video application main window from the main windows.

81. (Original): The metering system of claim 79 wherein the first program code is arranged to use a callback function to find the channel related child window.

82. (Original): The metering system of claim 79 comprising third program code arranged to determine a program and/or station from an electronic programming guide based upon the tuning data.

83. (Currently Amended): The metering system of ~~claim 45~~ claim 72 wherein the software meter is written in Java.